

The following summarizes the MOX-HUB rights:

Source: Yakima River

Purpose of Use: Irrigation, frost protection, stock water and other agricultural purposes and domestic supply, including irrigation of lawns, gardens & landscaping.

Period of Use: April 1 through October 31.

Priority Date: January 26, 1887

Quantity: 13,781 acre-feet natural flow and 959.4 acre feet of Warren Act water, according to the following schedule of instantaneous flow:

	April	May	June	July	Aug.	Sept.	Oct.
Natural Flow	38	38	38	38	38	29	22
Warren Act	<u>1.4</u>	<u>2.3</u>	<u>3.1</u>	<u>3</u>	<u>3</u>	<u>2.1</u>	<u>1</u>
Total	39.4	40.3	41.1	41	41	31.1	23

Period of Use: April 1 through October 31

Place of Use: Lands within the boundary of the Selah-Moxee Irrigation District as described in the SMID CFO filed September 9, 1998.

Point of Diversion: 1900 feet south and 400 feet east of the northwest corner of section 17, being within the SW1/4 NW1/4 of section 17, Township 13 North., Range 19, EWM

2. It is Ordered that the portion of the SMID water right that is hereby authorized to be temporarily transferred to the Washington State Trust Water Rights Program (RCW 90.42.080) for the 2008 period of use is as follows:

Quantity: The total quantity subject to this request for transfer to trust is 5,000 acre-feet and instantaneous flow according to the following schedule.

Quantity Transferred									
	March	April	May	June	July	August	September	October	Total
AF	600	650	650	750	700	700	550	400	5,000

Purpose of Use: Instream flow under the Washington State Trust Water Right Program (RCW 90.4

Period of Use: The 2008 irrigation season, April 1 through October 31.

Place of Use: Instream flow in the Yakima River between the Moxee-Hubbard Point of Diversion and the confluence with the Columbia River.

DONE IN OPEN COURT this ____ day of _____, 2008.

JUDGE/COMMISSIONER

Presented by:

TALBOTT, SIMPSON & DAVIS, P.S.
Attorneys for Selah-Moxee Irrigation District

By: _____
JAMES E. DAVIS, WSBA #5089